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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/436,368	11/08/1999	KENNETH C. CRATER	109087-0002P	6513

23569 7590 12/12/2005
SQUARE D COMPANY
LEGAL DEPARTMENT IP SECTION
1415 SOUTH ROSELLE ROAD
PALATINE, IL 60067

EXAMINER

VU, VIET DUY

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/436,368	Applicant(s) CRATER ET AL.	
	Examiner Viet Vu	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17,56-69 and 126-128 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-17,56-69 and 126-128 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Rejections:

1. The text of 35 USC 103(a) not cited here can be found in the previous office action.

2. Claims 56-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff, U.S. pat. No. 6,209,048 in view of Gosling, U.S. pat. No. 6,6187,54.

Per claims 56-63 and 67-68, Wolff discloses a system and method for enabling remote control of a network device comprising:

a) locating a remote controller on a network (e.g., camera) by using a browser to select a web page link (see Wolff in col 8, lines 52-56);

b) downloading a page defined by a markup language from the controller that includes data for viewing status data (e.g., snap shot) (see Wolff in col 8, lines 11-15);

c) executing a program on the computer for displaying status data, wherein the computer is configured to periodically request status data from the remote controller for displaying status data in a dynamic fashion, e.g., displaying live images (see Wolff in col 6, lines 10-16).

Wolff does not explicitly teach providing an embedded plug-in or executable applet for displaying the status data. The use

of such embedded plug-in or applet for controlling display of web page is well known in the art as disclosed by Gosling (see Gosling in col 11, lines 11-40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize embedded plug-ins or executable applets in Wolff because it would have enabled displaying status data on any conventional web browser (see Wolff in col 8, lines 59-61).

Per claims 64-66, Wolff teaches that a control web page contains many components including links to other web pages (see Wolff in col 10, lines 4-17).

3. Claims 1-17, 69 and 126-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff and Gosling, and further in view of Smith, U.S. pat. No. 6,002,340.

Per claim 1, neither Wolff nor Gosling teaches utilizing a sensor for gathering data from an industrial control device. A sensor system for enabling remote monitoring and controlling industrial devices/machines is well known in the art as disclosed by Smith. Particularly, such prior art system comprises at least one or more sensors for collecting/recording various operating data including logging errors from the devices or machines and transmitting the logged data to a remote station

via a wide-area network (see Smith in col 2, lines 50-64; col 3, lines 5-15 and 42-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize such device sensors in Wolff because it would have enabled monitoring operating data of an industrial control device.

Per claims 2-6, it is noted that Gosling's teachings encompass all claim limitations.

Claims 8-17, 69 and 126-128 are similar in scope as that of claims 1-6 and hence are rejected for the same rationale set forth for claims 1-6.

Allowable Subject Matter:

4. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment:

5. Applicant's arguments filed on 11/7/2005 with respect to claims 1-6, 8-17, 56-69 and 126-128 are moot in view of new grounds of rejection set forth above.

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Conclusion:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER

Art Unit 2154
12/8/05